

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD LEWIS

v.

JON FISHER, *et al.*

:
:
:
:
:
:

CIVIL ACTION NO. 11-5035

ORDER

AND NOW, this 28th day of May 2013, upon careful and independent consideration of the Petition for Writ of *Habeas Corpus* filed pursuant to 28 U.S.C. § 2254, and after careful review of the Report and Recommendation of Magistrate Judge Jacob P. Hart, and the objections thereto, it is hereby **ORDERED** that:

1. The Objections are **OVERRULED** and the Report and Recommendation is **APPROVED and ADOPTED**;
2. The Petition is **DENIED**;
3. There is no basis for the issuance of a certificate of appealability; and
4. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.